

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

DOUG TAYLOR and :  
TONYA TAYLOR,

Plaintiffs,

vs.

CA 08-0188-KD-C

WAL-MART STORES, INC.,  
STRONG BUILT, INC., :

Defendants.

**ORDER**

This cause is before the Magistrate Judge, pursuant to 28 U.S.C. § 636(b)(1)(A) and SD ALA LR 72.2(c)(1), on plaintiffs' amended motion to stay all deadlines set forth in the Rule 16(b) scheduling order, as amended, pending the Court's ruling on Strong Built, Inc.'s motion for summary judgment (Doc. 47).

It is clear that this Court "has broad discretion to stay proceedings as an incident to its power to control its own docket." *Clinton v. Jones*, 520 U.S. 681, 706, 117 S.Ct. 1636, 1650, 137 L.Ed.2d 945 (1997) (citation omitted); *see also Landis v. North American Co.*, 299 U.S. 248, 254, 57 S.Ct. 163, 166, 81 L.Ed. 153 (1936) ("[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket

with economy of time and effort for itself, for counsel, and for litigants.”).

Indeed, it is not unheard of for a court to stay all proceedings and deadlines pending a ruling on a motion for summary judgment. *See, e.g., Smith v. United Steel Workers of America*, 2007 WL 2477345, \*1 (S.D. W. Va. 2007) (“Pursuant to a joint motion, the court entered an order on June 15, 2005 staying all proceedings and deadlines pending rulings on the motions for summary judgment.”).<sup>1</sup>

In light of the foregoing, and because defense counsel has no objection to plaintiffs’ motion, the amended motion for stay (Doc. 47) is **GRANTED**. All deadlines set forth in the Rule 16(b) scheduling order (Doc. 18), as amended (Doc. 42), which **REMAIN PENDING ARE STAYED**. In other words, because the deadline for filing amendments to pleadings and joining parties (Doc. 18, at ¶ 4) has long since passed, that deadline is **NOT** stayed. However, all other deadlines (*see* Docs. 18 & 42) are **STAYED** pending

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<sup>1</sup> “Unpublished opinions are not considered binding precedent, but they may be cited as persuasive authority.” 11th Cir. R. 36-2.

resolution of the defendant's motion for summary judgment (Doc. 26).

**DONE** and **ORDERED** this the 27th day of March, 2009.

s/WILLIAM E. CASSADY  
**UNITED STATES MAGISTRATE JUDGE**